

**C. Quarterly Reports.**

(1) Community foundations receiving an allocation of tax credits for donations to an approved qualified permanent endowment fund shall provide the Department with reports on the qualified permanent endowment fund on a quarterly basis.

(2) Each quarterly report shall contain the information and be in the form required by the Department.

(3) The Department may elect to change the frequency of reporting from time to time, in its discretion.

**.09 Nondiscrimination; Drug and Alcohol Free Workplace.**

In order to participate in the allocation of tax credits, the community foundation shall comply with the following requirements:

A. A community foundation may not discriminate on the basis of race, color, religion, national origin, sex, marital status, physical or mental disability, sexual orientation, or age in any aspect of the allocation of the tax credits, except with regard to age as permitted under the federal Housing for Older Persons Act, as amended from time to time, or other similar federal laws, or in any aspect of employment by any community foundation in connection with any qualified permanent endowment fund financed or assisted under the Act;

B. A community foundation shall comply with all applicable federal, State, and local laws, and Department policies regarding discrimination and equal opportunity in employment, housing, credit practices, and drug and alcohol free workplaces, including:

(1) Titles VI and VII of the Civil Rights Act of 1964, as amended;

(2) Title VIII of the Civil Rights Act of 1968, as amended;

(3) State Government Article, Title 20, Annotated Code of Maryland, as amended;

(4) The Department's Minority Business Enterprise Program, as amended;

(5) Executive Order 01.01.1989.18 Drug and Alcohol Free Workplace, and any Department or State regulations adopted or to be adopted to carry out the requirements of that Order;

(6) The Fair Housing Amendments Act of 1988, as amended; and

(7) The Americans with Disabilities Act of 1990, as amended.

C. Covenants implementing these requirements, including affirmative action measures, shall be included in appropriate agreements with the Department and other parties.

**.10 Waiver.**

The Secretary may waive or vary provisions of this chapter to the extent that the waiver or variance is consistent with the Act and if, in the written determination of the Secretary, the application of a regulation in a specific case or in an emergency situation would be inequitable or contrary to the purposes of the Act.

**.11 False Statements.**

A. A person may not knowingly make or cause to be made a false statement or report in any document required to be furnished to the Department or in any agreement relating to the tax credits.

B. A community foundation, taxpayer, or any other party that knowingly makes or causes to be made a false statement or report is subject to cancellation and withdrawal of an allocation of credits, or cancellation and withdrawal of a certification of a donation, in addition to any other penalties authorized by law.

KENNETH C. HOLT  
Secretary of Housing and Community Development

# Title 08

## DEPARTMENT OF NATURAL RESOURCES

**Subtitle 02 FISHERIES SERVICE****08.02.01 General**

Authority: Natural Resources Article, §§4-215, 4-215.2, 4-2A-03, 4-405, 4-407, 4-1006, 4-1006.1, 4-1009.1, 4-1011, 4-1012, 4-1103, 4-11A-04—4-11A-09, and 4-11A-11, Annotated Code of Maryland

**Notice of Proposed Action**

[15-246-P]

The Secretary of Natural Resources proposes to adopt new Regulation .14 under **COMAR 08.02.01 General**.

**Statement of Purpose**

The purpose of this action is to institute a method of interpreting coordinates that appear in Fisheries Service regulations to ensure that the regulatory intent is maintained. The Fisheries Service describes coordinates in 19 different regulations over six different chapters using latitude and longitude. Latitude lines run parallel to the equator, and longitude lines run from the North to the South Poles. The intersection of the lines of latitude and longitude are used to describe a specific location on the Earth. The latitude and longitude coordinates described in these regulations are a geographic tool used to define a particular area for a number of different reasons. The regulations have been adopted at different times, and over time shorelines used in the physical descriptions have changed due to erosion, while other descriptive objects (buoys, specific points on land, etc.) have also moved or changed. There are six ways coordinates appear in Fisheries Service regulations. The proposed action describes how to interpret each of these circumstances.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Coordinate Interpretations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to [fisheriespubliccomment.dnr@maryland.gov](mailto:fisheriespubliccomment.dnr@maryland.gov), or fax to 410-260-8310. Comments will be accepted through October 5, 2015. A public hearing has not been scheduled.

**.14 Interpretation of Coordinates in Regulations.**

A. If the beginning or end point of a regulatory line is defined by coordinates and a physical description of a point or object on the shoreline, and the coordinates place the coordinated point in the water rather than on the shoreline, then the regulatory line shall be fixed to the location of the coordinates and be connected to the shoreline by the closest possible distance.

B. Except as provided in §E of this regulation, if the beginning or ending point of a regulatory line is defined by coordinates and no statement is made in the regulation about the physical description of



## PROPOSED ACTION ON REGULATIONS

the coordinated point, and the coordinates place the coordinated point in the water rather than on the shoreline, then the point on the regulatory line shall be fixed to the location of the coordinates and be connected to the shoreline by the closest possible distance.

C. If a point in a series of points between the beginning and ending points of a regulatory line is defined by coordinates and a physical description or location of the coordinated point, and the coordinates do not agree with the physical description or location, then the point on the regulatory line shall be fixed at the location of the coordinates.

D. If a point in a series of points between the beginning and ending points of a regulatory line is defined by coordinates and no statement is made in the regulation about the physical description of the coordinated point, then the point on the regulatory line shall be fixed at the location of the coordinates.

E. If the beginning point of a regulatory line that forms a closed polygon is defined by coordinates and no statement is made in the regulation about the physical description of the coordinated point, then the beginning point on the regulatory line shall be fixed at the location of the coordinates.

F. If the beginning or end point of a regulatory line is defined by coordinates and no statement is made in the regulation about the physical description of the coordinated point, and the coordinates place the coordinated point on land, then the point on the regulatory line shall be fixed at the location of the coordinates and be connected to the shoreline along the line or lines of direction to any preceding or following points in the regulation.

MARK J. BELTON  
Secretary of Natural Resources

# Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

## Subtitle 07 HOSPITALS

### 10.07.16 Limited Private Inpatient Facilities

Authority: Health-General Article, §§10-501—10-511, Annotated Code of Maryland

#### Notice of Proposed Action

[15-244-P-I]

The Secretary of Health and Mental Hygiene proposes to adopt new Regulations .01—.22 under a new chapter, COMAR 10.07.16 Limited Private Inpatient Facilities.

#### Statement of Purpose

The purpose of this action is to establish licensing procedures for limited private inpatient facilities that do not meet the criteria for acute behavioral health services or community-based behavioral health services.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

**I. Summary of Economic Impact.** Limited private inpatient facilities are licensed under more stringent regulations; however this

only one facility falls under this regulation. There is no licensing fee incurred by the facility.

#### II. Types of Economic Impact.

Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
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A. On issuing agency:	(R+)	\$2,000 per accreditation
B. On other State agencies:	NONE	
C. On local governments:	NONE	

Benefit (+)	Cost (-)	Magnitude
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D. On regulated industries or trade groups:	(-)	\$2,000 per accreditation
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

#### III. Assumptions. (Identified by Impact Letter and Section II.)

A. Revenue gain to the General Fund of approximately results from the cost of obtaining the provisional accreditation. The \$2,000 will be transferred into the G. Accreditation is valid for 3 years. The Department estimate license would be issued or renewed every 3 years.  
 $\$500 + \$1,500 = \$2,000$

D. Revenue loss to the sole regulated industry of approximately \$2,000 per 3-year accreditation period is a result of the provisional license and accreditation. The sole regulated industry required to pay the provisional license fee of \$500 accreditation an additional \$1,500 per 3 year accreditation.  
 $\$500 + \$1,500 = \$2,000$

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director of Regulation and Policy Coordination, Department of Mental Hygiene, 201 West Preston Street, Room 512, Baltimore 21201, or call 410-767-6499 (TTY 800-735-2258), c.dhnh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through October 5, 2015. A public hearing has been scheduled.